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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/580,904

05/31/2000

Avner Shafrir

52817.000111

2748

29315

7590

12/23/2003

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RESTON, VA 20190

EXAMINER

HAILU, TADESSE

ART UNIT

PAPER NUMBER

2173

19

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.
09/580,904

Applicant(s)
Avner Shafrir

Examiner
Tadesse Hailu

Art Unit
2173

All participants (applicant, applicant's representative, PTO personnel):

(1) Tadesse Hailu (Examiner)

(3) _____

(2) Sean L. Ingram (Applicant Rep.)

(4) _____

Date of Interview Dec 11, 2003

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant discussed the cited art in view of claimed features and agreement was reached that the claims are distinguishable over the cited art. The Examiner will update the search.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Office Action Summary

Application No.
09/580,904

Applicant(s)
Avner Shafrir

Examiner
Tadesse Hailu

Art Unit
2173



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Nov 10, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 4) ☒ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. This Office Action is in response to the AMENDMENT entered 11/10/2003 for the patent application (09/580,904).
2. The present patent application claims priority from domestic US Application 60/137,513 filed June 2, 1999.
3. The pending claims 1-29 are examined as follows:

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirabilis LTD, Quick Tour, February 12, 1998 in view of ICQ Inc, ICQ Email Signature, May 2, 1999.

ICQ, as described and illustrated in Mirabilis LTD, Quick Tour, is an application that is used as a tool for communication. After installing this software application in a computer, ICQ allows you to know who is online (network), and allows you to contact them by clicking the name or the icon next to it and then send a message, initiate a chat session or launch any other interactive session (communication mode). ICQ automatically detects user connection to the Internet and announces your presence(on-line status indicator)to those whose list (contact list) you are on and notifies you if your contacts are on-line (status indicator) as well. This status

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indicator is color-coded symbol (flower icon), i.e, it changes to green to announce your presence to those whose list you are on.

Moreover, as described below, it is clear that the current claims are not distinguishable over the cited art.

Per claim 1:

As per "status determining means," ICQ, as describes and illustrates in Quick Tour, does provide plurality of status determining indicators to know the status (online, offline, etc.) of one or more users on the Internet (Quick Tour, page 5).

As per "status indicator presenting means," as mentioned above, ICQ, as describes and illustrates in Quick Tour, provides the status indicator (such as online or offline) and also provides user indicators (such as names or IDs) associated with the status indicators. By clicking or selecting the indicator one can establish communication with other users with a selected communication mode (Quick Tour, pages 5-6).

As per "user indicator presentation means," ICQ, as described and illustrated in Quick Tour, does teach a user indicator presentation means, such as name, ICQ's unique ID number, etc that are associated with the user (Quick Tour, pages 1-3). As mentioned above any one of these indicators allows you to connect or link to others by clicking on the indicator (Quick Tour, pages 1-3). However, ICQ, as described and illustrated in Quick Tour, fails to teach presenting

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one or more user indicators within the at least one electronic document, wherein the at least one electronic document is generated using any of a plurality of applications.

ICQ Inc, ICQ Email Signature describes this shortcomings. ICQ, in ICQ Email Signature, explicitly describes enabling any other application to generate and present the status indicator within at least one electronic document (ICQ Email Signature, page 2). ICQ enables users to select any other applications, such as Netscape 3 , Microsoft Outlook Express, Eudora, etc. and generate and insert signature, i.e., a user indicator into any one of the selected applications (ICQ Email Signature, page 2).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the user indicator (signature) feature to the previous version of ICQ (How to Use ICQ) because it enhances the ICQ communication tool and at the same time this enhancement will benefit the users of both ICQ and non ICQ users as well.

The remaining independent claims, 6, 13, 18, 26-29 are rejected for the same reason given to claim 1. Claims 26 and 28 further call for a status determining module associated with a first system application and a status indicator presenting module associated with a second application, wherein, the first and second system applications are different system application. ICQ provides the above limitations, wherein status can be associated with e-mail, chat or data conference applications that determines a status of a user associated with user indicator (see pages 5-6).

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as per claims 2, 4, 14, 16, and 19, ICQ provides a status indicator such as a flower symbol which changes color (color-coded) based on the user's status (Quick Tour, page 4).

as per claims 3, 8, 15, 20, ICQ further discloses status indicators displayed in a menu (Quick Tour, page 5).

as per claims 5, 17, as illustrated in page 5, the user indicator is selected by selecting the status indicator icon for the selected user (Quick Tour, pages 4-5).

as per claims 7, as illustrated in in page 5, symbol icon is used to indicate the status indicator of a user (Quick Tour, pages 4-5).

as per claims 9, 21, the status indicators includes color-coding, that is, the symbol (flower icon) changes to green to announce your presence to those whose list you are on. (see Quick Tour, pages 4-5).

as per claims 10, 12, 22-25, ICQ, as mentioned above, does provide several communication preference to a user. such preference include, e-mail, chat, send message files and URLs, play games, draw on whiteboards, communicate through voice while surfing the net (see page 6). User can initiate or establish any one of the communication mode to communicate and share at least one application with one or more users (Quick Tour, page 6).

as per claim 11, ICQ user is able to establish or initiate one or more communications such as using ICQ's voice, or data sharing applications with one or more network users (Quick Tour, page 6).

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Response to Arguments

6. Applicant's arguments with respect to claims 1, 6, 13, 18, 26, 27, 28, and 29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 8:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

8. The Official fax number is (703) 872-9306.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

December 11, 2003



JOHN CABECA
SUPERVISOR
TECHNOLOGY